



UNCLASSIFIED

INTERNAL
USE ONLY

Approved For Release 2002/05/17 : CIA-RDP76M00527R000700060027-9



CONFIDENTIAL



SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

OGC Has Reviewed

FROM:

OLC
7D35

EXTENSION

NO.

DATE

14 November 1974

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

7D07

11/1

11/15

RHL

Attached is a copy of the law, effective next Tuesday, on access by Government agencies to educational records without permission of the student or parent which [redacted] talked to you about.

2.

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OLC 7D35

STATINTL

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STATINTL

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George Cary suggests we get together and prepare a joint memorandum from OGC and OLC to the Director to advise him of the law and that we discontinue any activities contra. Senator Buckley is considering amendments since the law is admittedly too broad (attached article). We will see if we can possibly come under some general exception. Offhand, it doesn't look good.

Assistant Legislative Counsel

Pat
Curren

RHL

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FORM
3-62

610

USE PREVIOUS
EDITIONS

SECRET



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DRAFT:PLC:cg (14 Nov 74)

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: : CIA Access to Educational Records of Students

1. The Elementary and Secondary Education Act of 1965 was recently amended (P. L. 93-380). Section 438 of the law, which was a floor amendment by Senator James L. Buckley (D., N. Y.) to the original bill, withholds all Federal funds from any educational institution at ^{ANY} ~~all~~ level~~s~~ which allows any person or agency access to school records without the express written permission of the student or his parents. The law makes no distinction as to the nationality of the student, and therefore includes foreigners. The only exceptions involve matters of educational aid or court subpoena. This adversely affects certain activities of Foreign Resources Division, Domestic Contacts Division, and the Office of Security. Normal Personnel and Security processing is not affected since appropriate waiver forms are secured from the subjects. The forms are now being revised for greater specificity. The law goes into effect ~~on~~ Tuesday, 19 November 1974.

(Ref
copy)

ILLEGIB

2. There have been strong repercussions from educational institutions since the law allows students access to all of their records, and Senator Buckley announced he is preparing amendments to the law. OLC will determine the scope of the amendments being considered and explore the possibility of coming under a general exemption / to allow certain access without express

permission. The chances, however, do not appear good since the policy to require written consent appears firm. Further, to date CIA is the only 25X1A agency to express concern to the Office of Management and Budget.

George L. Cary
Legislative Counsel

John S. Warner
General Counsel